

Message Text

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INFO OCT-01 ARA-06 ISO-00 EB-07 AID-05 DIWY-01 CU-02 AF-06

EA-06 EUR-12 NEA-09 ACDA-05 CIAE-00 DODE-00 PM-03

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E.O. 11652: N/A

TAGS: SGEN, ECOSOC

SUBJECT: 58TH ECOSOC: SOCIAL COMMITTEE-REFERENCE TO CHARTER
OF ECONOMIC RIGHTS AND DUTIES OF STATES(CERDS) IN
RESOLUTION OF COMMISSION FOR SOCIAL DEVELOPMENT (CSD)

REF: USUN 1160

1. PROPOSED CHANGES IN REFERENCE TO CERDS IN STATEMENT
APPENDED TO DRAFT RESOLUTION VII, AS AUTHORIZED IN
POSITION PAPER, REPRESENTED OUTER LIMITS OF ACCOMMODATION
WE COULD MAKE IN STATEMENT ITSELF IN ORDER TO VOTE
FAVORABLY ON WHOLE PACKAGE. IF, HOWEVER, ECOSOC, IN
BEING ASKED TO ENDORSE THIS STATEMENT IN ITS COVERING
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DRAFT RESOLUTION, CANNOT ALTER THE TEXT OF THE APPENDED

CSD STATEMENT ON BASIS LATTER IS FAIT ACCOMPLI BUT CAN MERELY ADJUST THE DEGREE OF ITS ENDORSEMENT, CHANGES PROPOSED IN POSITION PAPER NOW BECOME ACADEMIC.

2. WE CERTAINLY COULD HAVE SUPPORTED THE FIRST UK SUGGESTION TO CHANGE PARAGRAPH 1 OF COVERING DRAFT RESOLUTION FROM ENDORSEMENT TO "TAKE NOTE OF VIEWS SET OUT IN STATEMENT, ETC". HOWEVER, WE CANNOT SUPPORT UK

FALL-BACK SUGGESTION OF CHANGING THIS TO "ENDORSES GENERALLY THE VIEWS SET OUT IN THE STATEMENT, ETC.", AS THIS WOULD INDICATE "GENERAL ENDORSEMENT" INTER ALIA OF ASSERTION THAT "...CERDS SHOULD CONTINUE TO PROVIDE GUIDELINES FOR NATIONAL AND INTERNATIONAL ACTION". THIS WOULD BE CLEARLY INCONSISTENT WITH OUR SERIOUS OBJECTIONS TO A NUMBER OF CERDS PROVISIONS AND OUR OVERALL NEGATIVE VOTE. (U.S. VOTED FOR DELETION, VOTED AGAINST OR ABSTAINED ON 13 OF THE 34 ARTICLES OF CERDS, PLUS FOUR PARAGRAPHS OF THE PREAMBLE AND PRINCIPLES.

3. RE YOUR QUERY ABOUT FOOTNOTING "ENDORSES" TO THE EFFECT THAT REFERENCE TO CERDS SHOULD NOT BE INTERPRETED AS INDICATING CHANGE IN THE POSITION OF DELS ON CHARTER AS RECORDED AT 29TH GA, THIS ALSO WOULD BE CONTRADICTION SINCE ENDORSEMENT WOULD INDEED REPRESENT CHANGE. IT WILL BE RECALLED THAT IN CASE OF WCIWY WE AGREED TO FOOTNOTE FORMULA ALONG WITH CHANGE IN TEXT TO READ, "...PROMOTION AND MAINTENANCE OF A NEW JUST WORLD ECONOMIC ORDER WHICH IS THE BASIC PURPOSE OF THE CERDS" (VICE ORIGINAL MEXICAN VERSION "TO WHICH THE CERDS HAS A FUNDAMENTAL CONTRIBUTION TO MAKE"). IN PRESENT INSTANCE, EQUIVALENT CHANGE IN REFERENCE TO CERDS IN STATEMENT NOW APPEARS OUT OF REACH.

4. ONE POSSIBLE FORMULA, WHICH WOULD REPRESENT A FORTH-COMING CONCESSION BY US, WOULD BE TO COMBINE THE BRITISH "ENDORSES GENERALLY" CHANGE IN COVERING RESOLUTION WITH A MORE EXPLICIT FOOTNOTE ALONG FOLLOWING LINES: QUOTE SOME DELEGATIONS RESERVED THEIR POSITIONS ON THE ENDORSEMENT OF THE REFERENCE TO THE CHARTER OF LIMITED OFFICIAL USE

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ECONOMIC RIGHTS AND DUTIES OF STATES IN PARAGRAPH 6 OF THE ATTACHED STATEMENT IN VIEW OF THEIR POSITIONS ON THE CHARTER AS RECORDED AT THE 29TH SESSION OF THE GENERAL ASSEMBLY. END QUOTE.

5. IF ABOVE FORMULA NOT ACCEPTABLE AND IF WE THEN HAVE TO VOTE ON RESOLUTION AS NOW DRAFTED OR WITH CHANGE TO "ENDORSES GENERALLY", USDEL SHOULD ABSTAIN. DELEGATION

SHOULD THEN EXPLAIN VOTE BY EXPRESSING REGRET THAT COM-PROMISE WAS NOT ACCEPTED; STATING WE DISAGREE WITH PURPORT OF REFERENCE TO CERDS SINCE THERE ARE A NUMBER OF FUNDAMENTAL PROVISIONS OF CERDS WHICH WE CANNOT ACCEPT, AS RECORDED AT 29TH GA; BUT THAT WE HEARTILY ENDORSE OTHER PROVISIONS OF RESOLUTION AND APPENDED STATEMENT. YOU MAYWISH EXPAND ON LATTERSO AS TO LEAVE OVERALL POSITIVE IMPRESSION.

6. IN DISCUSSING FOREGOING WITH BRITISH AND OUR OTHER CLOSE ALLIES ON CERDS, YOU SHOULD INSIST THAT WE (AND THEY) CANNOT ALLOW OURSELVES TO BE NIBBLED TO DEATH ON THIS ISSUE. TEDIOUS AND PAINFUL AS IT MAY BE TO HAVE TO DEFEND OUR POSITION AD NAUSEAM IN SO MANY FORUMS AND IN SO MANY IRRELEVANT CONTEXTS, G-77 INVITE THIS BY THEIR CONSTANT EFFORTS TO WEAR US DOWN. WE CANNOT ALLOW THEM TO SUCCEED IN THEIR OBVIOUSLY CONCERTED ENDEAVOR TO BUILD A CUMULATIVE RECORD OF PROGRESSIVE CONCESSIONS WHICH IN SUM COULD BE ALLEGED TO REPRESENT ACQUIESCENCE IN THE CERDS AND ITS IMPLEMENTATION.

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